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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/084,121	02/27/2002	Alin D'Silva	01-1008	5040

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EXAMINER

ELAHEE, MD S

ART UNIT	PAPER NUMBER
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2697

DATE MAILED: 08/14/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/084,121

Applicant(s)

D'SILVA ET AL.

Examiner

Md S Elahee

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_ 6) ☐ Other: \_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-3, 5-9, 11-13 and 15-17 are rejected under 35 U.S.C. 102(e) as being anticipated by Liffick (U.S. Patent No. 6,430,289).

Regarding claims 1 and 15, Liffick teaches receiving, via a data network, call processing criteria associated with the user, the call processing criteria comprising information for connecting the call to the caller and a time period for connecting the call (abstract; fig.8; col.11, lines 29-37, 41-62, col.12, lines 11-20, 32-67, col.13, lines 1-8; 'call processing criteria' reads on the claim 'event data' and 'caller' reads on the claim 'one or more parties').

Liffick further teaches storing the call processing criteria in a database (col.10, lines 14-21, col.11, lines 29-37, 41-62; 'call processing criteria' reads on the claim 'event data').

Liffick further teaches establishing the call between the user and the caller via the telephone network based on the call processing criteria (fig.8; col.11, lines 29-37, 41-62,

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col.12, lines 11-20, 32-65; 'call processing criteria' reads on the claim 'event data' and 'caller' reads on the claim 'one or more parties').

Regarding claims 2, 7 and 12, Liffick teaches updating the database to reflect changes in the call processing criteria (col.10, lines 14-21, col.16, lines 59-67, col.17, lines 1-4; 'call processing criteria' reads on the claim 'event data').

Regarding claims 3 and 13, Liffick teaches determining based on the call processing criteria a telephone number associated with the user and a telephone number associated with the caller (fig.8; col.11, lines 29-37, 41-62, col.12, lines 11-20, 32-65; 'call processing criteria' reads on the claim 'event data' and 'caller' reads on the claim 'one or more parties').

Liffick further teaches connecting the call between the user and the caller via the telephone network based on the telephone numbers (abstract; fig.8; col.11, lines 29-37, 41-62, col.12, lines 11-20, 32-67, col.13, lines 1-8; 'caller' reads on the claim 'one or more parties').

Regarding claims 5 and 16, Liffick teaches establishing at least one call processing criteria corresponding to the call, the call processing criteria comprising user information and at least one telephone identifier (abstract; fig.8; col.11, lines 29-37, 41-62, col.12, lines 11-20, 32-67, col.13, lines 1-8; 'call processing criteria' reads on the claim 'event record').

Liffick further teaches associating the call processing criteria with an event time (col.10, lines 14-21, col.11, lines 29-37, 41-62; 'call processing criteria' reads on the claim 'event record').

Liffick further teaches requesting an indication from the user, based on a current time and the event time (fig.8; col.11, lines 29-37, 41-62, col.12, lines 11-20, 32-65; 'caller' reads on the claim 'one or more parties' and 'call processing criteria' reads on the claim 'event data').

Liffick further teaches initiating the call, based on an allowing list from the user (fig.8; col.12, lines 11-20, 32-67, col.13, lines 1-8; 'allowing list' reads on the claim 'affirmative indication').

Regarding claim 6, Liffick teaches receiving via the data network call processing criteria associated with the user (abstract; fig.8; col.11, lines 29-37, 41-62, col.12, lines 11-20, 32-67, col.13, lines 1-8; 'call processing criteria' reads on the claim 'event data').

Liffick further teaches storing call processing criteria comprising information for connecting with the caller and a time period for connecting (abstract; fig.8; col.10, lines 14-21, col.11, lines 29-37, 41-62, col.12, lines 11-20, 32-67, col.13, lines 1-8; 'call processing criteria' reads on the claim 'event data' and 'caller' reads on the claim 'one or more parties').

Liffick further teaches connecting the user via the telephone network to the caller based on the call processing criteria (fig.8; col.11, lines 29-37, 41-62, col.12, lines 11-20, 32-65; 'caller' reads on the claim 'one or more parties' and 'call processing criteria' reads on the claim 'event data').

Regarding claim 8, Liffick teaches determining based on the call processing criteria a telephone number associated with the user and a telephone number associated with the caller (fig.8; col.11, lines 29-37, 41-62, col.12, lines 11-20, 32-65; 'call

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processing criteria' reads on the claim 'event data' and 'caller' reads on the claim 'one or more parties').

Regarding claim 9, Liffick teaches connecting the call between the user and the caller via the telephone network based on the telephone numbers (abstract; fig.8; col.11, lines 29-37, 41-62, col.12, lines 11-20, 32-67, col.13, lines 1-8; 'caller' reads on the claim 'one or more parties').

Regarding claim 11, Liffick teaches receiving call processing criteria via the data network from the user and for storing call processing criteria in a database, wherein the call processing criteria comprises information for connecting with the caller and a time period for connecting (abstract; fig.8; col.10, lines 14-21, col.11, lines 29-37, 41-62, col.12, lines 11-20, 32-67, col.13, lines 1-8; 'call processing criteria' reads on the claim 'event data' and 'caller' reads on the claim 'one or more parties').

Liffick further teaches connecting the user to the caller based on the call processing criteria (fig.8; col.11, lines 29-37, 41-62, col.12, lines 11-20, 32-65; 'caller' reads on the claim 'one or more parties' and 'call processing criteria' reads on the claim 'event data').

Regarding claim 17, Liffick teaches storing in a database information associated with at least one user for initiating calls between the user and a plurality of parties, including at least a set of telephone numbers for the user and for each telephone number an associated period of time when the user is available for a call at that telephone number, and a set of telephone numbers for each of the plurality of parties and for each telephone number an associated period of time when the party is available for a call at

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that telephone number (fig.6-8; col.9, lines 52-62, col.10, lines 14-50, col.11, lines 29-37, 41-62; 'user' reads on the claim 'service subscriber').

Liffick further teaches receiving call processing criteria for the user, via a data network, including a selection of caller and a call time (abstract; fig.8; col.11, lines 29-37, 41-62, col.12, lines 11-20, 32-67, col.13, lines 1-8; 'call processing criteria' reads on the claim 'event information', 'user' reads on the claim 'service subscriber' and 'caller' reads on the claim 'one or more parties').

Liffick further teaches that based on the call time of the call processing criteria, selecting from the database a telephone number for the user and a telephone for selected party, and initiating the call based on the call time using the selected telephone numbers (fig.8; col.11, lines 29-37, 41-62, col.12, lines 11-20, 32-65; 'call processing criteria' reads on the claim 'event information' and 'user' reads on the claim 'service subscriber').

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 4, 10 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Liffick (U.S. Patent No. 6,430,289) and in view of Shaffer et al. (U.S. Patent No. 6,477,374).

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Regarding claim 4, Liffick teaches determining that a current time is within the time period for connecting the call (fig.6-8; col.9, lines 52-62, col.10, lines 14-50, col.12, lines 11-20, 32-67, col.13, lines 1-8).

Liffick fails to teach “notifying the user that the call is about to take place”. Shaffer teaches reminding the called party that the call is about to take place (col.17, lines 11-45; ‘reminding’ reads on the claim ‘notifying’ and ‘called party’ reads on the claim ‘user’). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Liffick to allow notifying the user that the call is about to take place as taught by Shaffer. The motivation for the modification is to have doing so in order to provide reminder of call connection between the caller and the called party.

Liffick further teaches receiving allowing list from the user prior to establishing the call (fig.8; col.12, lines 11-20, 32-67, col.13, lines 1-8; ‘allowing list’ reads on the claim ‘confirmation’).

Regarding claims 10 and 14, Liffick teaches determining that a current time is within the time period for connecting the call (fig.6-8; col.9, lines 52-62, col.10, lines 14-50, col.12, lines 11-20, 32-67, col.13, lines 1-8).

Liffick fails to teach “notifying the user that the call is about to take place”. Shaffer teaches reminding the called party that the call is about to take place (col.17, lines 11-45; ‘reminding’ reads on the claim ‘notifying’ and ‘called party’ reads on the claim ‘user’). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Liffick to allow notifying the user that the call is about to take place as taught by Shaffer. The motivation for the modification is to have doing so in order to provide reminder of call connection between the caller and the called party.



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Liffick further teaches receiving allowing list from the user to initiate the event (fig.8; col.12, lines 11-20, 32-67, col.13, lines 1-8; 'allowing list' reads on the claim 'confirmation' and 'call processing criteria' reads on the claim 'event').

***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alam Elahee whose telephone number is (703) 305-4822. The examiner can normally be reached on Mon to Fri from 9:00am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Hofsass can be reached on (703)305-4717. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4750.

M. E.

MD SHAFIUL ALAM ELAHEE

August 6, 2003

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